

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

(1) Emanuel H. Jones #557338  
 (Name of Plaintiff) (Inmate Number)  
Howard A. Young Correctional Institution  
1301 East 12<sup>th</sup> Street • P.O. Box 9561  
Wilmington, DE 19809  
 (Complete Address with zip code)

06-773

(2) [REDACTED]  
 (Name of Plaintiff) (Inmate Number)  
 [REDACTED]  
 [REDACTED]  
 (Complete Address with zip code)

(Case Number)  
 (to be assigned by U.S. District Court)

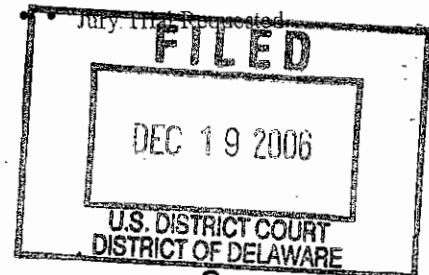
(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

vs.

**CIVIL COMPLAINT**

Delaware State  
 (1) Department of Corrections  
 (2) \_\_\_\_\_  
 (3) \_\_\_\_\_  
 (Names of Defendants)

(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

**I. PREVIOUS LAWSUITS**

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

et al  
Jones v. Harris, Case Number: 1:06-cv-674  
year: 2006, (Sue L. Robinson)

**II. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? • Yes • • No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? • Yes • • No
- C. If your answer to "B" is Yes:
1. What steps did you take? Made Spt, Lt's, Warden  
Aware of all situations & Problems
  2. What was the result? None
- D. If your answer to "B" is No, explain why not: \_\_\_\_\_

**III. DEFENDANTS** (in order listed on the caption)

(1) Name of first defendant: Delaware State Department of Corrections

Employed as Department of Corrections at Howard R. Young Correctional Institute

Mailing address with zip code: 245 McKee Drive

Dover, Delaware 19901

(2) Name of second defendant: \_\_\_\_\_

Employed as \_\_\_\_\_ at \_\_\_\_\_

Mailing address with zip code: \_\_\_\_\_

(3) Name of third defendant: \_\_\_\_\_

Employed as \_\_\_\_\_ at \_\_\_\_\_

Mailing address with zip code: \_\_\_\_\_

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

#### IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. SEE attached
- 2.
- 3.

#### V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Compensate Me For Pain & Suffering  
Mental Anguish & depression, Mental  
Distress, Scared For My Safety & Life  
& Health under the conditions that  
stated in my claim.

2. Compensate Me For Violation of  
My Constitutional Rights & Civil Rights  
also Violation of My Human Standards Plus  
Standards & Rights Mandated through the United States  
Government which allocates Subpar and Standards
3. and codes that are to be used as guidelines under  
the Federal & State law, also unsafe living conditions  
& Health Hazards, I will like to <sup>Be</sup> compensated  
\$ 300,000 For all claims

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 13<sup>th</sup> day of DECEMBER, 2006.

Emanuel H. Jones  
(Signature of Plaintiff 1)

\_\_\_\_\_  
(Signature of Plaintiff 2)

\_\_\_\_\_  
(Signature of Plaintiff 3)

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My Name is Emanuel H. Jones #557332 I'm currently incarcerated at the Howard R. Young Correctional Institution. on the 27<sup>th</sup> day of May, 2006, I was transported Here By the New Castle County Police Department, Since I've Been Here I've Been Sleeping on the Floor with a Mattress that don't have a cover over it and that is very Dirty and very UNSanitary, also I'm a Big guy 274 Pounds with very SEVERE Back pains & problems that was caused By a New Castle County Police OFFICERS shooting Me in the Back with a Taser gun. I shouldnt Be sleeping on the Floor due to my conditions of having Back problems, I spoke with Sgt. Williams, Lt Williams and the doctor and they said there's Nothin they can do about it, and I Been sleeping on the Floor For six in a half Months, the Floor made my Back pains worst that I got to take strong pain Medication Every day. I cant sleep cause its very UNcomfortable, I Toss & turn all Night, also the air Condition is on Full speed at times "Freezing" during the Months of November & December when its very cold outside and the "Freezing" weather in this Institution also cause my Back to hurt and I got to sleep with all my clothes on, when I wake up in the Morning its Freezing in my Room, also in the day Room area, I try to cover the vent the air come out of, the OFFICERS Here tell Me to uncover it and deal with it or threaten to lock Me up in the Hole IF I dont uncover it. this is

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continue to give me pain. I see the doctor twice a Month For My Back and all they keep giving Me is pain Medication. also the Housing Pod that I'm on Have 20 cells and 20 seats For people to Eat, But there's 59 Inmates<sup>IN</sup> My Pod & Every other pod that's on the West side of the Institution Meaning 3 Inmates to Each Room with one on the Floor the pod is so over crowded that Me & other Inmates have to sit on the cold Floor or stand up to<sup>Eat</sup> our Meals Each day and this also causes me Back problems each day. I also don't get the proper Recreation Cause I can't go to the gym at this Institution Cause other Inmate is Housed there as a pod that sleeps on the Floor which is very unsanitary & is also a dangerous Fire Hazard and Inmates Been Housed there since the start of summer June. 21, 2006, I can't go to the Recreation yard on the pod to get Fresh air Cause the yard is Flooded with water From the Rain Cause the drainage hole are stopped up and it Been Flooded since August 2006 and is still Flooded Right now on this Date December. 13-2006 the Institution is not doing any thing about it, the water Been Flooded in our Rec yard so long that it have a Very strong Nasty odor to it that it comes through the Recreation door and Right By the Recreation door is where our Food is Being served to Feed 59 Inmates on my Pod this is very unhealthy & unsanitary to human living & Bodies that this odor is around our Food & living area also the

the Food trays I have to eat my Food on, is Very Dirty the Food trays still have Food on them From other Meal after they claim to have cleaned them, I Be Complaining about this problem Nothin was done and the Food trays continue to come to the pod for me & other Inmates to eat on dirty, this can cause me to be very sick or even cause death, also the Showers have very small worm looking Bugs in the corner of the Showers & the water Backs up in the Showers causing the shower to have a Sewage odor coming through the drainage also the water leaks on the Floor From the Showers in our day Room area which leaves water 3 to 4 Feet wide 6 to 8 Feet long on our day Room Floor that may cause serious injury or death to me, the Institution was made aware of this problem constantly, NoBody does anything about the situation to prevent serious injury or death, the water sit on the Floor From 6 AM to we lock in at 10:30 PM Before its cleaned up, also I have to Block the Bottom of my door with News paper so that the Rats & Mice wait come under my door, cause Before I started putting the paper down I have woke up many times to see Mice & Rats on me why I was sleeping, the Institution was made aware of this problem Nothin was done and the Mice & Rats are worst since nothin haveit Been done and Im scared I might get Bit By one with Rabbits or other serious Diseases From sleeping on the Floor  
continue on next page

that may cause serious injury or death, also there is a Staphylococcus aureus or MRSA infection Bacteria in this institution and that other inmates have this Bacteria on my pod and the Medical Department here and the institution know about this Bacteria & infection of MRSA But does not give me & other inmates the proper cleaning supplies & sanitizers & deodorizers & the proper care to prevent this Bacteria from spreading this Bacteria can also cause serious infections, such as infections to the bloodstream surgical sites, or pneumonia, also inmates more likely to get staph infection → skin to skin contact with someone who has a staph infection, contact with items and surfaces that have staph on them, opening in the skin such as cuts & scrapes, crowded living conditions, poor hygiene, I'm an inmate that's around this everyday and also inmates that live in the same room as me have it and this institution don't provide me with the cleaning supplies to prevent me from catching this Bacteria call Staphylococcus aureus or MRSA infection. I would like to file this lawsuit complaint against the Department of Corrections at Howard R. Young Correctional Institution, for pain & suffering, unsafe living conditions, unhealthy & hazardous unsanitary living conditions, mental anguish & depression mental distress, violation of the health codes, violation

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OF My Constitutional Rights & Civil Rights also  
Violation OF My human standards plus standards &  
Rights Mandated through the United States Govern-  
ment which allocates the SubPAR and standards  
and Codes that are to Be used as guidelines under  
the Federal & State law.

Sincerely yours

Emanuel H. Jones

SBI # 557338

Howard R. Young Correctional Institution  
1301 East 12<sup>th</sup> Street • P.O. Box 9561  
Wilmington, DE 19809

There is also witnesses signatures with this claim.  
See attached

(These are the Witnesses in this Claim)

1. Kevin Banner <sup>ST</sup> 248876
2. Anthony Lopez #55145
3. Jeferine Reyes
4. Edward L. Mathingly 443027
5. Federico Ruiz #5415
6. Dwayne Johnson 170519
7. Gabriel D. Chavez 177919
8. Michael Chick 331934
9. Robert Smith 294444
10. Joshua Brown Joshua D Brown 522449
11. Marc Taylor 526 407
12. Manuel Negrin 253839
13. Robert B. Lewis 13 3360
14. Marcel Cooper 424247
15. Felix Vargas Jordan 2188810
16. Oscar Yelazquez Perez 462771
17. Rafael Couture 998056
18. Timothy Austin Timothy Austin 377507
19. ~~Shirley~~ 4/6875
20. Pat Bant 3 73342
21. Angel Flores 483893
22. William E. Schaffer 173659
23. Quinn Martin <sup>Quinn Martin</sup> #558973
24. Jabari A. Delf 267944
25. Joseph Paul 527280
26. Allen J. Jiny 386607
27. El. S. Reins 286395
28. Anthony Noel 148652
29. Kendall Robertson 457424
30. Lamar Thomas
31. <sup>A. J. M.</sup> Antione MADRIC
32. Brandin Muncie 428919
33. Daniel Buckley 416002
34. Russell Hill 361204
35. Zimnick Swope 499418
36. ~~Ernest~~ 477806
37. Warner A. Harvey 425037
38. Emanuel H. Jones #557338
39. Charles Fessh 187065
40. Juan Garcia 279954
41. Wayne ~~Smith~~ 109108
- 42.
- 43.
- 44.
- 45.

C. MANUEL H. Jones 55/338

Houder R. N. Jones

2006 PM WILMINGTON, DE 19800 DEC 18 2006 WILMINGTON DEC

Wilmington, DE 19809

↑  
2D<sup>15</sup>  
U.S.M.S.  
X-RAY

Clerk  
U.S. District Court  
Lock Box 18  
844 North King Street  
Wilmington, DE  
19801